

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

v.

WILLIAM REUBART, *et al.*,

Respondents.

Case No. 2:06-cv-01264-KJD-DJA

ORDER

In this capital habeas corpus action, the respondents were due to respond to Petitioner Kitrich A. Powell's second amended habeas petition by September 9, 2022. See Order entered June 7, 2022 (ECF No. 141).

On September 8, 2022, Respondents filed a motion for extension of time (ECF No. 198), requesting a 7-day extension of time, to September 16, 2022. Respondents' counsel states that the extension of time was necessary because of the size of the record, the time it took to prepare the record for filing, and the time it took to incorporate citations to the record into the response. Respondents' counsel states that Petitioner does not oppose the motion for extension of time. The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and there is good cause for the requested extension of time. The Court will grant the motion for extension of time.

On September 14, 2022, the respondents filed a motion to dismiss (ECF No. 235). The motion to dismiss will be considered timely filed.

IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time (ECF No. 198) is **GRANTED**. Respondents' motion to dismiss (ECF No. 235), filed September 14, 2022, will be considered timely filed.

1 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
2 proceedings set forth in the order entered August 24, 2020 (ECF No. 100) will remain in
3 effect.

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5 DATED THIS 12 day of October, 2022.

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9 KENT J. DAWSON
10 UNITED STATES DISTRICT JUDGE
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